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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,292	01/15/2002	Paul Bucknell	GB 010006	8104

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
RAMPURIA, SHARAD K	

ART UNIT	PAPER NUMBER
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/046,292

Applicant(s)

BUCKNELL, PAUL

Examiner

Sharad Rampuria

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Disposition of the claims

II. The current office-action is in response to the amendments/remarks filed on 10/05/2006. Accordingly, Claims 1-10 are imminent for further assessment as follows:

Claim Rejections - 35 USC § 102

III. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by **Bucknell et al.** [US 6954634] *hereinafter* **Bucknell**.

The applied reference has a common assignee (e.g. Philips Electronics) and also the inventor (e.g. Paul Bucknell) with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under

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35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per claim 1, **Bucknell** teaches:

A method of operating a radio system including a primary station and at least one secondary station (Abstract), comprising:

Establishing a two-way communications link between the primary station (e.g. FP; Fig.1) and the at least one secondary station, (e.g. PP1-PP2; Fig.1, Col.3; 13-21)

Transmitting a configuration message from the primary station to the at least one secondary station (e.g. communications link between FP and PP; Col.3; 50-57, Col.4; 3-12) and

Adapting the at least one secondary station to receive configuration information signals transmitted by a source other than the primary station. (e.g. 50; Fig.3, communications link between server and PP; Col.6; 46-Col.7; 24).

As per claim 2, **Bucknell** teaches:

The method as claimed in claim 1, wherein the configuration information signals are transmitted by a broadcast transmitter. (e.g. 50; Fig.3, communications link between server and PP; Col.6; 46-Col.7; 24).

As per claim 3, **Bucknell** teaches:

The method as claimed in claim 1, wherein the at least one secondary station reconfigures itself in response to the configuration message. (e.g. reconfiguring itself; Col.2; 17-30).

Claim 4 is the **system**, claim corresponding to **method** claim 1 respectively, and rejected under the same rational set forth in connection with the rejection of claim 1 respectively, above.

As per claim 5, **Bucknell** teaches:

The telecommunications system as claimed in claim 4, wherein the configuration message signals are transmitted by a source other than the primary station. (e.g. 50; Fig.3, communications link between server and PP; Col.6; 46-Col.7; 24).

As per claim 6, **Bucknell** teaches:

The telecommunications system as claimed in claim 4, wherein the at least one secondary station comprises a reconfigurable transceiver which is able to configure a receiver section to receive the configuration message signals. (e.g. reconfiguring; Col.2; 17-30).

As per claim 7, **Bucknell** teaches:

The telecommunications system as claimed in claim 4, wherein the at least one secondary station comprises a transceiver for communicating with the primary station over the two-way communications link and a receiver for receiving the configuration message signals. (e.g. communications link between FP and PP; Col.3; 50-57, Col.4; 3-12)

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As per claim 8, **Bucknell** teaches:

The telecommunications system as claimed in claim 4, wherein the configuration message signals are transmitted over a broadcast radio channel. (e.g. 50; Fig.3, communications link between server and PP; Col.6; 46-Col.7; 24).

As per claim 9, **Bucknell** teaches:

A secondary station (e.g. PP1-PP2; Fig.1, Col.3; 13-21) for use in a telecommunications system having a primary station and the secondary station comprising:

Responding means responsive to a configuration message transmitted by the primary station for preparing the secondary station to receive configuration message signals (e.g. communications link between FP and PP; Col.3; 50-57, Col.4; 3-12) transmitted over at least a one-way channel other than the a two-way communications link established between the primary station and the secondary station. (e.g. 50; Fig.3, communications link between server and PP; Col.6; 46-Col.7; 24).

As per claim 10, **Bucknell** teaches:

The secondary station as claimed in claim 9, wherein said responding means adapts the secondary station to receive the configuration message signals transmitted as broadcast signals. (e.g. 50; Fig.3, communications link between server and PP; Col.6; 46-Col.7; 24).

Response to Amendments & Remarks

IV. Applicant's arguments with respect to claims 1-10, has been fully considered but is moot in view of the new ground(s) of rejection.

Conclusion

V. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or EBC@uspto.gov.



Sharad Rampuria
Patent Examiner
Art Unit 2617